



**INTERNATIONAL JUDO FEDERATION
DISCIPLINARY COMMISSION**

**CASE: n° 2019-3
Iran Judo Federation**

COMMISSION COMPOSITION:

- Mr. Francis LEGOND	President
- Mr. Colin DRAYCOTT	Vice-President
- Mr. Dick JOHANSSON	Member
- Mr. Hirofumi OTSUJI	Member
- Mr. Envic GALEA	Member

CONCERNED PERSON:

- Iran Judo Federation;

FACTS AND PROCEDURE:

The International Judo Federation (IJF) has been informed that the August 28th 2019, during the last 2019 World Championships in Tokyo, a judoka from Iran Mr. Saeid MOLLAEI (-81kg) has been instructed by the Iranian authorities and the Iran Judo Federation to withdraw from competing to avoid a potential contest against an Israeli athlete, in this case, Mr. Sagi MUKI.

On 10 September 2019 the IJF Executive Committee, has decided, in accordance with article 28 of the IJF Statutes, to initiate a disciplinary procedure against the Iran Judo Federation and to submit the case to the IJF Disciplinary Commission of the First Instance.

On 10 September 2019 the IJF General Secretary informed the Iran Judo Federation that IJF Executive Committee, has decided, in accordance with article 28 of the IJF Statutes, to initiate a disciplinary procedure against the Iran Judo Federation and to submit the case to the IJF Disciplinary Commission of the First Instance.

On 10 September 2019 the IJF President appointed the IJF Disciplinary Commission of the First Instance members.

On 13 September 2019 the IJF General Secretary informed the IJF Disciplinary Commission of the First Instance members of their appointment and sent them the allegations regarding the case.

On 13 September 2019 the IJF General Secretary informed the Iran Judo Federation that a disciplinary procedure was open against the federation, and asked the Iran Judo Federation President to choose between the written procedure and the hearing.

On 18 September 2019 the Iran Judo Federation President chose the written procedure.

On 18 September 2019 the IJF Disciplinary Commission of the First Instance pronounced against the Iran Judo Federation a protective suspension from all competitions, administrative and social activities organized or authorized by International Judo Federation and its Unions considering that the alleged actions are serious enough to consider the application of a protective suspension in accordance with the article 28.2.4 of the IJF statutes.

On 20 September 2019 the IJF General Secretary duly noted that the Iran judo Federation had elected the written procedure, sent to the federation the case file and informed the Iran Judo Federation President that he could send to the Commission a written submission including all arguments, observations, evidence whether documentary or through testimonies.

On 20 September 2019 the IJF General Secretary sent to the Iran Judo Federation two additional statements from an IJF Executive Committee member and an IJF staff member whom were witnesses of the situation.

On 4 October 2019 the Iran Judo Federation sent an official letter of defence along with the supporting documents.

REGARDING THE CASE FILE,

According to Mr. Saeid MOLLAEI's statements, he has been instructed by the Iran Judo Federation's President, the Iran National Olympic Committee's President and the Iran national Coach to withdraw from competing to avoid a potential contest against an Israeli athlete during the 2019 Tokyo World Championships.

The Iran Judo Federation states that Mr. Saeid MOLLAEI has never been instructed by the Iranian authorities and the Iran Judo Federation to withdraw from competing to avoid a potential contest against an Israeli athlete.

The Iran Judo Federation main arguments are:

- All the athlete declarations and statements are false and were made in order to speed up his change of nationality process;
- The current Iran Judo Federation President, Mr. Arash MIRE SMAEILI, was not President of the Iran Judo Federation when some actions referred to in one IJF report happened (2004, Olympics Games, 2019 Paris Grand Slam);
- The Iran Judo Federation was not informed regarding some allegations or statements about some cases reported.

Finally the Iran Judo Federation concludes its statement writing: *"To conclude, it is to be emphasized that the I. R. Iran Judo Federation shall fully comply with the principles of the IJF Statutes and the Olympic Charter.[...]"*

The Commission notes that the article 28.2 of the IJF statutes is applicable to the case as the facts and actions related constitute a serious breach and gross violation of the Statutes of the IJF, its legitimate interests, its principles and objectives.

The Commission specifies that the disciplinary case is open against the Iran Judo Federation and not its president or its national coach.

The Iran Judo Federation received all the documents and statements relative to this disciplinary case, therefore, the argument relative to the absence of communication with the Iran Judo Federation is inadmissible.

The IJF change of nationality procedure is specified in the article 1.7.1 of the IJF Sport and Organisation Rules (SOR) and it is very clear. Consequently there is no link between Mr. Saeid MOLLAEI's wish to change of nationality and his statement that he has been instructed by the Iranian authorities and the Iran Judo Federation to withdraw from competing to avoid a potential contest against an Israeli athlete.

Furthermore, Mr. Saeid MOLLAEI's allegations are confirmed by the statement of Mr. Abdullo MURADOV, who speaks Farsi and who was together with the athlete during the World Championship in Tokyo and who clearly confirmed that the athlete received a phone call, from 1st Deputy Minister of Sport of Iran and a video chat and a phone call from the Iran National Olympic Committee's President asking to the athlete not to fight in order to avoid a contest against the Israeli athlete.

In the light of the case file especially the above mentioned statement, the Commission considers that Mr. Saeid MOLLAEI's allegations have to be taken into consideration.

The Commission takes duly note that the Iran Judo Federation "*shall fully comply with the principles of the IJF Statutes and the Olympic Charter*". However, this statement was already done by the federation in the letter sent to the IJF on May 8th, 2019 under the signature of Presidents Seyed Reza SALEHI AMIRI, President of the I.R. Iran NOC and Arash MIRE SMAEILI, President, I.R. Iran Judo Federation, which categorically confirms that "...by means of this letter, we would like to confirm that the I.R. Iran NOC shall fully respect the Olympic Charter and its non-discrimination principle and the I.R. Iran Federation shall fully comply with the Olympic Charter and the IJF Statutes..." and yet, the situation exposed by the athlete is in gross contradiction with the content of this letter.

These facts and actions constitute specifically a breach of the IJF Statutes and especially the article 1.2.: "*The International Judo Federation (hereinafter referred to as the "IJF"), is a non-for-profit Association founded for an unlimited period of time and governed by articles 60 et seq. of the Swiss Civil Code and the present Statutes. Its registered office is in Lausanne.*

The IJF, a member of the Olympic Movement, considers adherence to fundamental, universal ethical principles to be the foundation of sport, of judo, and of Olympism.

These principles include:

1.2.1 Respect for the Olympic spirit, which requires mutual understanding and a spirit of friendship, solidarity, and fair play;

1.2.2 Respect for the principle of universality and political neutrality of the IJF and of the Olympic Movement; [...]

1.2.4 Respect for international agreements for the protection of human rights as they apply to the activities of the IJF and its members and which ensure, in particular:

– protecting the dignity of people;

– rejection of all forms of discrimination, no matter the reason, in particular related to race, color, sex, sexual orientation, language, religion, political or other opinions, national or social origin, wealth, birth, or any other situation;

– rejection of all forms of physical, professional, or sexual harassment and abuse, and of all practices that are detrimental to the physical or mental integrity of a person."

This situation constitute also a match fixing or competition manipulation define in the IJF SOR:

"The integrity of sport depends on the outcome of sporting events and competitions being based entirely on the merits of the participants involved. Any form of corruption that might undermine public confidence in the integrity of a judo contest is fundamentally contrary to the spirit of sport and subject to severe sanctions.[...]

Competition manipulation is defined as an intentional arrangement, act or omission aimed at an improper alteration of the result or the course of a sports competition in order to remove all or part of the unpredictable nature of the sports competition with a view to obtaining an undue benefit for oneself or for other. If a contest takes place and seems to have been played to a predetermined result, violating the IJF rules, further investigation may be undertaken and any findings of match fixing will result in disciplinary action."

Finally, this situation is a violation of the Olympic charter and the IOC Code of Ethics.

ON THESE GROUNDS, THE IJF DISCIPLINARY COMMISSION HEREBY DECIDES:

- **To pronounce against the Iran Judo Federation a suspension from all competitions, administrative and social activities organized or authorized by the IJF and its Unions, until the Iran Judo Federation gives strong guarantees and prove that they will respect the IJF Statutes and accept that their athletes fight against Israeli athletes;**
- **To ask to the IJF Executive Committee to determine the modalities of the guarantees to be given and actions to be undertaken in order to demonstrate its commitments to respect the IJF Statutes by the Iran Judo Federation;**
- **Decides that the Commission protective suspension on 18 September 2019 still is valid until this decision will gain legal force;**
- **To notify this decision to :**
 - Iran Judo Federation;
 - Mr. Marius VIZER, IJF President ;
 - Mr. Jean Luc ROUGE, IJF General Secretary;
 - Mr. Obeid AL ANZI, JUA President;
 - Mr. Mohamed MERIDJA, IJF Education and Coaching Director;
 - Mr. Vladimir BARTA, IJF Head Sport Director;
 - The International Olympic Committee;
 - The Iran National Olympic Committee;
- **To Inform the Iran Judo Federation that this decision is subject to appeal with the Court of Arbitration For Sport. The time limit for appeal shall be twenty-one days from the receipt of the decision appealed against.**

Paris, the 22nd October 2019

President
Mr. Francis LEGOND

Vice-President
Colin DRAYCOTT